

### **Amendments to the Claims**

This listing of claims will replace all prior versions and listings of claims in the subject application.

### **Listing of Claims:**

What is claimed is:

1.-67. (Cancelled)

68. (Currently Amended) A fluid-assisted tissue grasping device comprising:

a first jaw and a second jaw, at least one of the jaws being movable toward the other jaw;  
the first jaw having a first jaw tissue grasping surface and the second jaw having a second jaw tissue grasping surface, the tissue grasping surface of each jaw directly opposing each other and comprising an electrically insulative surface;

a first electrode and a second electrode, the first and second electrodes configured to have opposite polarity when electrically coupled to a radio frequency power source and positioned for an electrical current from the first and second electrodes to flow in tissue grasped between the tissue grasping surfaces substantially parallel to the tissue grasping surfaces and across a width of the tissue grasping surfaces;

the first jaw tissue grasping surface and the second jaw tissue grasping surface medial to the first electrode and the second electrode, and the first electrode and second electrode laterally outside the first jaw tissue grasping surface and the second jaw tissue grasping surface;

at least one fluid delivery passage; and

at least one fluid outlet.

69. (Previously Presented) The device of claim 68 wherein:

the at least one fluid outlet further comprises a first fluid outlet and a second fluid outlet.

70. (Previously Presented) The device of claim 69 wherein:  
at least one of the first fluid outlet and the second fluid outlet is used to provide a fluid onto the first electrode or the second electrode, respectively.
71. (Previously Presented) The device of claim 69 wherein:  
at least one of the first fluid outlet and the second fluid outlet is at least partially defined by the first electrode or by the second electrode, respectively.
72. (Previously Presented) The device of claim 69 wherein:  
the first jaw tissue grasping surface has a first edge opposite a second edge; and  
at least one of the first fluid outlet and the second fluid outlet is used to provide a fluid between the first electrode and the first edge of the first jaw tissue grasping surface or between the second electrode and the second edge of the first jaw tissue grasping surface, respectively.
73. (Previously Presented) The device of claim 69 wherein:  
at least one of the first fluid outlet and the second fluid outlet is used to provide a fluid into a first reservoir or a second reservoir, respectively.
74. (Previously Presented) The device of claim 73 wherein:  
at least one of the first reservoir and the second reservoir is adjacent the first electrode or the second electrode, respectively.
75. (Previously Presented) The device of claim 73 wherein:  
the first jaw tissue grasping surface has a first edge opposite a second edge; and  
at least a portion of one of the first reservoir and the second reservoir is between the first electrode and the first edge of the first jaw tissue grasping surface or between the second electrode and the second edge of the first jaw tissue grasping surface, respectively.

**AMENDMENT**

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**Page 4**  
TLK022CON1

76. (Previously Presented) The device of claim 73 wherein:  
the first jaw tissue grasping surface has a first edge opposite a second edge; and  
at least one of the first electrode and the second electrode is spaced along the first edge of the first jaw tissue grasping surface by a first reservoir or is spaced along the second edge of the first jaw tissue grasping surface by a second reservoir, respectively.
77. (Previously Presented) The device of claim 69 wherein:  
the first jaw has a first side portion opposite a second side portion;  
the first electrode being on the first side portion of the first jaw;  
the second electrode being on the second side portion of the first jaw;  
the first fluid outlet is on the same side portion of the first jaw as the first electrode; and  
the second fluid outlet is on the same side portion of the first jaw as the second electrode.
78. (Previously Presented) The device of claim 69 wherein:  
the at least one fluid delivery passage comprises a first fluid delivery passage and a second fluid delivery passage;  
the first fluid outlet in fluid communication with the first fluid delivery passage; and  
the second fluid outlet in fluid communication with the second fluid delivery passage.
79. (Previously Presented) The device of claim 78 wherein:  
at least a portion of one of the first fluid delivery passage and the second fluid delivery passage is defined by the first electrode or the second electrode, respectively.
80. (Previously Presented) The device of claim 68 wherein:  
at least one of the first electrode and the second electrode comprises a hollow structure.

81. (Previously Presented) The device of claim 68 wherein:  
the tissue grasping surface of at least one jaw comprises a hydrophobic surface.
82. (Previously Presented) The device of claim 68 wherein:  
the tissue grasping surface of at least one jaw has one or more serrations.
83. (Previously Presented) The device of claim 68 wherein:  
the first jaw comprises a first jaw support structure beneath the first jaw tissue grasping surface, the first jaw support structure having a first side portion opposite a second side portion;  
the first electrode being along the first side portion of the first jaw support structure; and  
the second electrode being along the second side portion of the first jaw support structure.
84. (Previously Presented) The device of claim 68 wherein:  
at least one jaw comprises a support structure beneath the tissue grasping surface; and  
the support structure provides a heat sink for transferring heat away from the tissue grasping surface.
85. (Previously Presented) The device of claim 68 further comprising:  
at least one stand-off overlying at least a portion of one of the first electrode and the second electrode, the stand-off to inhibit tissue from physically contacting the electrode.
86. (Previously Presented) The device of claim 68 further comprising:  
a tissue treatment indicator which provides an output related to the level of treatment of tissue.
87. (Previously Presented) The device of claim 68 further comprising:  
a cutting mechanism.